

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

JOHN D. RUSSELL and BRIAN D. RUTKOWSKI

Serial No:

10/798,759

Group Art Unit: 3747

Filed:

March 11, 2005

Examiner: John Kwon

Title:

SPEED CONTROL METHOD

CERTIFICATE OF MAILING OR TRANSMI I hereby certify that this correspondence is, on the dat	
MAILING	FACSIMILE Transmitted by facsimile to the Patent and Trademark Office at Fax No:
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INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §§ 1.56, 1.97, 1.98

Sir:

In compliance with the duty of disclosure under 37 C.F.R. §§ 1.56, 1.97, and 1.98, the following patents, publications, applications, and/or other information are being submitted and disclosed to the Office, including those listed on the enclosed Form PTO-1449, for consideration by the Examiner.

Applicants respectfully request that the disclosed information be made of record and expressly considered by the Examiner during examination of the pending application. Further, Applicants respectfully request that the disclosed items be listed on the face of any patent issuing from the pending application in the "references cited" column.

In accordance with 37 C.F.R. § 1.97 (g), the present information disclosure statement is not a representation that a search has been made.

In accordance with 37 C.F.R. § 1.97 (h), the present information disclosure statement is not an admission that the information cited in the statement is, or is considered to be, material to patentability.

In accordance with MPEP § 609, Applicants respectfully request that if the present application is a continuing application, all information considered by the Office in the parent application be

considered in the present application, although it need not be listed on the face of the patent unless resubmitted in this or another information disclosure statement filed in this application.

Finally, the present information disclosure statement is not an admission that the information cited in the statement is, or is considered to be, prior art.

BASIS FOR CONSIDERATION BY THE OFFICE UNDER 37 C.F.R. § 1.97

37 C.F.R. § 1.97(b)

The present information disclosure statement is being filed, to the best of Applicants' knowledge and belief:

- (1) within three months of the filing date of a national application other than a continued prosecution application under 37 C.F.R. § 1.53(d); or
- (2) within three months of the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 in an international application; or
- (3) before the mailing of a first Office action on the merits; or

(4) before the mailing of a first Office action afte under 37 C.F.R. § 1.114.	r the filing of a request for continued examination
statement was cited in a communication fr	n under 37 C.F.R. § 1.113, a notice of allowance
Applicants certify that no item of infinite statement was cited in a communication frapplication, and, to the knowledge of reasonable inquiry, no item of information	formation contained in the information disclosure om a foreign patent office in a counterpart foreign the person signing the statement after making contained in the information disclosure statement 1.56(c) more than three months prior to the filing
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statement was cited in a communication fr application, and, to the knowledge of reasonable inquiry, no item of information	formation contained in the information disclosure om a foreign patent office in a counterpart foreign the person signing the statement after making contained in the information disclosure statement 1.56(c) more than three months prior to the filing

AND		
A check in the amount of	is enclosed.	
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CONTENT OF INFORMATION DISCLOSURE STATEMENT 37 C.F.R. § 1.98

The present information disclosure statement includes any information noted above, along with a Form PTO-1449 (2 pages).

If applicable, a legible copy of the following is being included:

- (1) Each U.S. patent (identified by inventor, patent number, and issue date).¹
- (2) Each U.S. patent application publication (identified by inventor, publication number, and publication date).
- (3) Each U.S. patent application (identified by inventor, application number, and filing date).²
- (4) Each foreign patent or published foreign patent application, along with an English language abstract for all non-English foreign patent documents (identified by country or patent office, an appropriate document number, and the publication date).
- (5) Each publication (identified by published, author (if any), title, relevant pages of the publication, date, and place of publication).

If there are any questions regarding this submission, please contact the undersigned.

Respectfully Submitted,

B. Anna McCoy

Attorney for Applicant Registration No. 46,077

Alleman Hall McCoy Russell & Tuttle LLP

806 SW Broadway, Suite 600

Portland, OR 97205

Ph. 503-459-4141

Fx. 503-459-4142

2/2/2005

¹ No copies are included for applications filed after June 30, 2003 as provided for by the U.S. PTO Waiver dated July 11, 2003.

² No copies are included for U.S. patent applications stored in the USPTO's IFW system as provided for by the U.S. PTO Waiver dated September 21, 2004.

PTO/SB/08A (08-03) Approved for use through 07/31/2006. OMB 0651-0031

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Substitute for form 1449/PTO

Sheet

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Col	mplete if Known	
Application Number	10/798,759	
Filing Date	March 11, 2004	
First Named Inventor	John D. Russell	
Art Unit	3747	
Examiner Name	John Kwon	
Attorney Docket Number	81099584	

	U. S. PATENT DOCUMENTS Examiner Cite Document Number Publication Date Name of Patentee or Pages, Columns, Lines, Where										
Examiner Initials*	Cite No.1	Document Number	MM-DD-YYYY Applicant of Cited Documer								
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		FORE	IGN PATENT DOCU	MENTS		
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WiPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/08B (08-03) Approved for use through 07/31/2006. OMB 0651-0031

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Sheet	2	of	2	Attorney Docket Number	81099584
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		NON PATENT LITERATURE DOCUMENTS	
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T²
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^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

FEB 0 7 2005 SHEET 1 OF 6 FORM PTO-1449 APPLICATION NUMBER DOCKET NUMBER 10/798,759 FGT 3G6DIV2 INFORMATION DISCLOSURE APPLICANT(S) O'CITATION IN AN APPLICATION John D. Russell and Brian D. Rutkowski FILING DATE **GROUP ART UNIT** JUL 1 9 2004 March 11, 2004 U.S. PATENT DOCUMENTS EXAMINER DOCUMENT NUMBER SUB CLASS DATE NAME CLASS FIL. DATE IF APPROP. NITIAL 12-22-70 Fleischer 3,548,798 Sato et al 4-18-78 4,084,568 4,494,506 1-22-85 Hayama et al 6-3-86 Kobayashi et al 4,592,315 3-24-87 Masuda et al 4,651,684 10-20-87 Pischinger et al 4,700,684 4,856,465 8-15-89 Denz et al 5,019,989 Ueda et al 5-28-91 5,022,357 Kawamura 6-11-91 Kamio et al 5,101,786 4-7-92 Klinke et al 5,115,782 5-26-92 FOREIGN PATENT DOCUMENTS CLASS SUB CLASS DATE COUNTRY TRANSLATION DOCUMENT NUMBER YES NO 59194058 11-2-84 JP Abstract only JP Abstract only 60240828 11-29-85 Abstract only JP 62101825 5-12-87 JP Abstract only 63032122 2-10-88 JР Abstract only 1100316 4-18-89 11-30-89 Abstract only 3916605 DE **OTHER DOCUMENTS** DATE CONSIDERED **EXAMINER**

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